

APPENDIX 7.6

UTILITIES AND INFRASTRUCTURE

Utilities and infrastructure condition and knowledge on existing facilities are very important for a bidder on any proposal being prepared. This importance and impact on many aspects of a bidder's proposal to this prospectus and the concession opportunities at Lake Berryessa is no exception.

Bidders should closely review the Kleinfelder report located on the Lake Berryessa website at <http://www.usbr.gov/mp/berryessa/prospectus.html> for information regarding conditions that were and in some cases still are present. Another source would be to find comments by the Central Valley Regional Water Quality Control Board (CVRWQCB) at <http://www.waterboards.ca.gov/centralvalley/> and search by the name of the concessionaire:

- Markley Cove
- Pleasure Cove
- Steele Park Resort
- Spanish Flat Resort
- Lake Berryessa Marina
- Rancho Monticello
- Putah Creek Resort

Some areas have had violations and may still be under some type of order or enforcement for particular necessary improvements. Also on the following pages are the comments from the Central Valley Regional Water Quality Control Board in regard to the Final EIS. These comments do not deal with specific violations of existing concessionaires but do outline some requirements for operating as a concessionaire that will be appropriate information to be aware of for potential bidders.

Mr. Guy Childs of the CVRWQCB has indicated to Reclamation that interested bidders may contact him directly for additional and more specific data regarding any of the current CVRWQCB concerns or dealings with concession operations at Lake Berryessa. He further indicated that interested parties could make arrangements to visit the CVRWQCB office. Mr. Childs may be contacted at the following address and phone number:

Central Valley Regional Water Quality Control Board
Sacramento Headquarters Office:
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-6114
Phone: (916) 464-3291

With information from these two sources (Kleinfelder and the CVRWQCB) prospective bidders should also make a point to at least superficially inspect the utilities and infrastructure of any locations they may consider bidding upon in response to this prospectus. The ultimate decision on whether to purchase the existing infrastructure at any particular Lake Berryessa concession location for a bidder needs to be determined as a part of the individual proposals to this prospectus. The need for as much information as possible on these facilities is obvious.

Following is the response from the CVRWQCB to the recent Final Environmental Impact Statement:

16 November 2005

Mr. Pete Lucero
Central California Area Office
Lake Berryessa Administrative Center
5520 Knoxville Road
Napa, CA 94558

***REVIEW OF FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE
USBR'S LAKE BERRYESSA RECREATION OPERATIONS, NAPA COUNTY***

On 15 November 2005, Regional Board staff received the U.S. Bureau of Reclamation's *Future Recreation Use and Operations of Lake Berryessa, Final Environmental Impact Statement* that was distributed by the State Clearinghouse. The purpose of the document is to re-define the development and management of visitor services at Lake Berryessa. Regional Board staff previously commented on the draft EIS in a letter dated 22 January 2004. This letter provides specific comments regarding wastewater issues for each of the four alternative actions, and general comments regarding other water quality concerns which may be encountered with any of the alternatives.

Domestic Wastewater Issues

Enclosed with this letter is a summary of the domestic wastewater treatment and disposal systems at each of the seven concessionaire sites. In general, the facilities are minimal at best and do not meet current standards for treatment and/or monitoring. If not for the fact that the concessionaire's contracts expire in 2008-2009 and there was uncertainty as to the future of the sites pending the EIS outcome, Regional Board staff would have already required increased monitoring, including groundwater monitoring, at these sites. Depending on the results of the monitoring or other site-specific factors, staff would have also required improved treatment or disposal techniques.

With the publication of the *Final Environmental Impact Statement*, staff is now in a position to evaluate each of the four alternatives relative to domestic wastewater issues and are able to provide specific comments.

Alternative A (No Action)

If Alternative A is adopted, then staff will update each concessionaire's monitoring and reporting program, requiring flow monitoring, enhanced constituent monitoring, and groundwater monitoring. Depending on the results of the monitoring or other site-specific factors, staff will also required improved treatment or disposal techniques.

Alternatives B, C, and D

All three of these alternatives maintain the use of each of the seven sites currently operated by the concessionaires. While the focus would move from long-term exclusive

use trailers to enhanced day use, camping, and short-term lodging, significant quantities of wastewater will still be generated from these new uses. For each of these options, the EIS simply states that

“Necessary maintenance and support facilities would be constructed for support of the above operations. Roadways and other necessary infrastructure (sewage, water, electric service, etc.) would be laid out and constructed based upon the desired final organization of visitor use and support facilities...”

If Alternative B, C, or D is adopted, then Regional Board staff expects to work closely with USBR and its contractors to upgrade each wastewater treatment/disposal system in a timely manner. In general, this would mean submitting a Report of Waste Discharge demonstrating that each proposed system will not degrade water quality. Depending on the timing of upgrading each system, staff may first require enhanced monitoring and/or installation of groundwater monitoring wells.

If Alternative B, C, or D is adopted, we ask that you work closely with our staff (Guy Childs and Mark List) regarding the proposed wastewater improvements and their timing at each facility.

Construction Storm Water Permit

A National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities, Order No. 99-28-DWQ, is required when a project involves clearing, grading, disturbances to the ground, such as stockpiling, or excavation. On 10 March 2003, as part of the new Phase II storm water regulations, all construction activity that disturbs one acre or greater or is part of a larger common plan of development or sale will require a construction storm water permit. A Construction Activities Storm Water General Permit must be obtained prior to construction. Additional information may be found on the Internet at <http://www.swrcb.ca.gov/stormwtr/index.html>.

Industrial Storm Water Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the State Water Resources Control Board (SWRCB) Water Quality Order No. 97-03-DWQ NPDES, General Permit No. CAS000001.

Water Quality Certification for Wetlands Disturbance

If a U.S. Army Corp of Engineers (ACOE) permit is required due to the disturbance of wetlands, then Water Quality Certification must be obtained from the Regional Board prior to initiation of project activities. Section 401 of the federal Clean Water Act requires that the project proponent for any project that impacts surface waters of the United States (such as streams and wetlands) must request a 401 Water Quality Certification from the Regional Board. Water Quality Certification must be obtained prior to initiation of project activities. The proponent must follow the ACOE 404(b)(1)

Guidance to assure approval of their 401 Water Quality Certification application. The guidelines are as follows:

1. Avoidance (Is the project the least environmentally damaging *practicable* alternative?)
2. Minimization (Does the project minimize any adverse effects to the impacted wetlands?)
3. Mitigation (Does the project mitigate to assure a no net loss of functional values?)

Dewatering Permit

If dewatering is required, the proponent must obtain either an NPDES permit for discharge to surface waters, or WDRs (or waiver of WDRs) for discharge to land. The General Order for Dewatering and Other Low Threat Discharges to Surface Waters Permit, Order No. 5-00-175 (NPDES CAG995001) covers discharges to surface waters only if the discharge does not contain significant quantities of pollutants and is either (1) four months or less in duration, or (2) the average dry weather discharge does not exceed 0.25 million gallons per day (mgd). The following types of low threat discharges may be covered under the NPDES General Order:

- a. Well development water
- b. Construction dewatering
- c. Pump/well testing
- d. Pipeline/tank pressure testing
- e. Pipeline/tank flushing or dewatering
- f. Condensate discharges
- g. Water Supply system discharges
- h. Miscellaneous dewatering/low threat discharges

For discharges of groundwater to land, the project proponent must apply for WDRs or a waiver of WDRs. The Regional Board has adopted a conditional waiver for low-threat discharges to land that may be applicable. The waiver can be downloaded from the Regional Board website at

http://www.swrcb.ca.gov/rwqcb5/adopted_orders/Waivers/R5-2003-0008.pdf.

Alternatively, the State Water Resources Control Board (State Board) has adopted General WDRs for low-threat discharges to land that may be applicable. The State Board's General Order can be downloaded from the internet at

<http://www.swrcb.ca.gov/resdec/wqorders/2003/wqo/wqo2003-0003.pdf>.

Section 404 Permit

If the project will involve the discharge of dredged or fill material into navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the US Army Corps of Engineers. If a Section 404 permit is required by the Corps, the Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on

Streambed Alteration Permit requirements. If a Section 404 permit is required, the proponent must apply to the Regional Board for a Water Quality Certification under Section 401. For more information on Section 404 Permits, contact the Sacramento District of the Corps of Engineers at (916) 557-5250.

USBR staff are encouraged to contact the following Regional Board staff to discuss questions regarding each of the following permits:

Domestic Wastewater Discharges	Guy Childs	(916) 464-4648
Storm Water Permits	Rich Muhl	(916) 464-4749
Section 404 Permit	Patrick Gillum	(916) 464-4709
Water Quality Certification	George Day	(916) 464-4606
Dewatering – Surface Water Discharge	Richard McHenry	(916) 464-4655
Dewatering – Land Discharge	Guy Childs	(916) 464-4648

For general information regarding the Regional Board's wastewater concerns at Lake Berryessa, please contact me at (916) 464-4835.

WENDY WYELS, Supervisor
Title 27 and Waste Discharge to Land Programs

Enc: Summary of Wastewater Issues for each USBR Concessionaire within the Lake Berryessa Area

cc w/ enc: Regional Board members
Ruben Oropeza, Napa County Department of Environmental
Management, Napa